

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Rio Tinto plc,

Plaintiff,

-against-

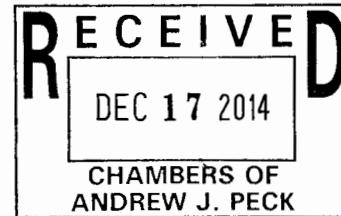
Vale S.A., Benjamin Steinmetz, BSG Resources Limited, VBG-Vale BSGR Limited aka BSG Resources (Guinea) Ltd. aka BSG Resources Guinée Ltd, BSG Resources Guinée SARL aka BSG Resources (Guinea) SARL aka VBG-Vale BSGR, Frederic Cilins, Mamadie Touré, and Mahmoud Thiam,

Defendants.

USDC SDNY
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ELECTRONICALLY FILED
DOC# _____
DATE FILED: 12/17/14

MEMO ENDORSED -/Z

14 Civ. 3042 (RMB) (AJP)



**NOTICE OF MOTION TO STAY DISCOVERY OF DEFENDANTS VALE S.A.,
BENJAMIN STEINMETZ, BSG RESOURCES LTD., VBG GUINEA, VBG-VALE
(GUERNSEY), AND MAHMOUD THIAM**

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of the Motion to Stay Discovery submitted by Defendants Vale S.A., Benjamin Steinmetz, BSG Resources Limited, VBG Guinea, VBG-Vale (Guernsey), and Mahmoud Thiam (collectively, "Defendants") and the Declaration of Matthew M. Karlan and exhibits thereto, and all other papers and proceedings herein, Defendants will move this Court before the Honorable Andrew J. Peck, United States Magistrate Judge, at the United States Courthouse, 500 Pearl Street, New York, NY 10007, at a date and time to be determined by the Court, for an order staying discovery against Defendants pursuant to Federal Rule of Civil Procedure 26 and the Court's inherent power, *Landis v. N. Am. Co.*, 299 U.S. 248 (1936), pending a ruling on Defendants' motions to dismiss.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's order at the hearing on September 8, 2014, any answering papers in response to this motion shall be served upon the

undersigned counsel on or before October 20, 2014, and any reply papers shall be served upon plaintiff on or before October 27, 2014, unless otherwise agreed and so ordered by the Court.

Dated: New York, New York
October 6, 2014

Respectfully submitted on behalf of all Defendants,

CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: /s/ Lewis J. Liman
Lewis J. Liman
Jonathan I. Blackman
Boaz S. Morag

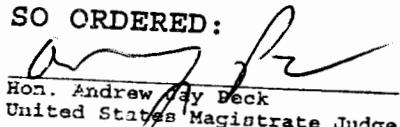
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Attorneys for Defendant Vale S.A.

MEMO ENDORSED 12/17/14

1. MOTION DENIED AS MOOT IN LIGHT OF JUDGE BRENNAN'S DECISION DENYING DEFENDANTS' MOTION TO DISMISS (Mot. No. 143).
2. Counsel shall confer and be prepared to discuss a 2015 hearing calendar date at the January 6th conference with me and Judge Berman.

SO ORDERED:


Hon. Andrew J. Beck
United States Magistrate Judge


Clerk's Office
Andrew J. Beck